

REMARKS

Claims 22 and 26-30 are pending in the application. Claims 13-21, 31-36, and 39-42 were canceled in Paragraph 3 of the application transmittal form submitted September 16, 2003. Claims 1-12, 23-25, 37, and 38 are canceled herein. Claim 22 is only independent claim.

Claim Objections

Applicants note the objection to the claim numbering. The current numbering conforms to the Examiner's observation concerning the original claim numbering.

Double Patenting

Claims 31-36 were rejected on the grounds of nonstatutory double patenting as being unpatentable over claims 31-35 of U.S. Application No. 09/514,928.

The rejection of claims 31-36 on the grounds of nonstatutory double patenting is moot owing to the cancellation of claims 31-36 at the time the present application was filed. By way of clarification, the present application is a divisional application filed on the original apparatus claims pursuant to an election of the original method claims in response to a Restriction Requirement in Application No. 09/514,928.

Claims Rejections - 35 U.S.C. §§ 102 and 103

Claims 1, 2, 5-10, 12-17, 19-22, 31, 37, and 38 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,126,602 to Savord.

Claims 4 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Savord in view of U.S. Patent No. 4,545,385 to Pirschel.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Savord in view of U.S. Patent No. 5,606,971 to Sarvazyan.

Claims 3, 23, 24, 28-30 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Savord in view of U.S. Patent No. 5,605,154 to Ries.

Claims 1, 11, 12, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,871,446 to Wilk.

Claim 42 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,179,780 to Hossack in view of U.S. Patent No. 5,685,307 to Holland.

Claims 25-27 and 33-36 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants disagree with the Examiner as to the patentability of applicants' claimed invention over the cited references. However, in order to expedite prosecution and issuance of the present application, applicants have canceled rejected claims herein without prejudice to filing a continuation application on the subject matter claimed therein and have amended claim 22 to incorporate the subject matter of claims 23-25.

Conclusion

Pursuant to the Examiner's indication of allowable subject matter, amended independent claim 22, as well as claims 26-30 dependent therefrom, is deemed to be in condition for allowance. An early Notice to that effect is earnestly solicited.

The dependent claims are patentable in part because independent claim 22 is patentable. Concomitantly, the rejections of the dependent claims are moot in view of the amendments and arguments presented herein.

The claim amendments made herein are made without prejudice to applicants' right to pursue additional subject matter in a separate continuation or divisional application.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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